UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/598,860	09/13/2006	Dae-Yeol Kim	0144-P0135A	1440

66837   7590   11/18/2010
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EXAMINER
SHAIKH, MOHAMMAD Z

ART UNIT	PAPER NUMBER
3694	

MAIL DATE	DELIVERY MODE
11/18/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/598,860	KIM, DAE-YEOL
	Examiner	Art Unit	
	MOHAMMAD Z. SHAIKH	3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 September 2010</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-7</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-7</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>09/13/06</u>.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Acknowledgements

1.   Claims 1-7 currently pending.

2.   Applicant election of Group I (claims 1-7) without traverse in the reply filed on

09/03/10 has been acknowledged.

3.   Claims 8-14 are withdrawn from further consideration by the examiner.

Claim Objections

1.   Claim 1 is being objected to because of the following informalities: On page 2 of

claim 1, line 12, applicant recites "lessor/lesee". This claim language is objected,

applicant is advised to change this recitation to remove the "/" character from the claim.

On page 2, lines 17, 24, & page 3, line 3, and line 12, applicant recites, "first/second".

This claim language is objected to, applicant is advised to remove the "/" character from

the claim.

Claim Rejections- 35 U.S.C § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-7 are being rejected under 35 U.S.C 103(a) as being unpatentable over

US 2004/039678 to Fralic in view of US 2005/0038723 to Nishimaki.

Regarding claim 1, Fralic discloses an optimum lease auction method by using a network through which a lessor receives a payment from a lessee and an auction item is leased, the optimum lease auction method comprising the steps of: connecting a first terminal of a lease-wanted person, a second terminal of a rent-wanted person, an auction trading intermediary server installed with an intermediary program, an insurance agency and a settlement agency to the network including the internet (claim 1); inputting lease-related information including an item to be leased, a lease schedule, lease conditions, evaluation particulars, evaluation methods, evaluation reference marks and evaluation priority ranks as the lease-wanted person is connected to the auction trading intermediary server, whereby a central processing device of the auction trading intermediary server stores the inputted lease-related information into a lease database of a database constructed within a memory (Fig 7; [0056]); searching for the stored lease-related information in the lease database as the rent-wanted person is connected to the auction trading intermediary server and inputting rent- related information on desired conditions, whereby the central processing device stores the rent-related information into a rent database of the database ([0011]); analyzing the lease database and the rent database and configuring a probable lease combination for every number of cases by the central processing device which, in turn, evaluates an optimum lease auction that maximizes a profit of the lessor who initiates the auction according to one of overall evaluation marks and the evaluation priority ranks, selects an optimum bidder as a successful bidder and stores information on the successful bidder into an evaluation database of the database ([0062]. Fig1: 48-52).

However Fralic does not disclose displaying an evaluation result on a monitor and

searching for a member database to inform the lessor/lessee of the evaluation result

through an e-mail, an advanced record system (ARS) service and a short message

service (SMS) by using the central processing device; verifying a bidding result and

inputting a decision on the auction trade by using the first/second terminal, whereby the

central processing device stores a contract between the lessor and the lessee into a

contract database of the database; transmitting information on verification that a lease

payment including a security deposit is settled and the item to be leased is transferred

from the insurance agency, the settlement agency and the first/second terminal of the

lessor/lessee to the auction trading intermediary server, whereby the central processing

device displays the information on verification on monitors of the settlement agency, the

insurance agency and the first/second terminal and stores the information on verification

into a trading database of the database; searching for the lease database and the

contract database, displaying a search result if an available lease period remains and

performing a next auction event by the central processing device; transmitting

information on verification that item to be leased is transferred to one of the lessor and a

next lessee from the first/second terminal to the auction trading intermediary server,

whereby the central processing device displays an auction result and stores a trading

completion database of the database; and searching for the trading completion

database, analyzing the contract database and the trading completion database if an

unsettled trading exists, calculating a final amount of the lease, settling a balance of the

lease, storing the settlement into a settlement database of the database, displaying a

settlement result on monitors of the insurance agency, the settlement agency, the lessor

and the lessee and informing of the settlement result through an e-mail, an ARS

service, a SMS by the central processing device. Nishamaki discloses displaying an

evaluation result on a monitor and searching for a member database to inform the

lessor/lessee of the evaluation result through an e-mail, an advanced record system

(ARS) service and a short message service (SMS) by using the central processing

device ([0027]); verifying a bidding result and inputting a decision on the auction trade

by using the first/second terminal, whereby the central processing device stores a

contract between the lessor and the lessee into a contract database of the database

([0502]); transmitting information on verification that a lease payment including a

security deposit is settled and the item to be leased is transferred from the insurance

agency, the settlement agency and the first/second terminal of the lessor/lessee to the

auction trading intermediary server, whereby the central processing device displays the

information on verification on monitors of the settlement agency, the insurance agency

and the first/second terminal and stores the information on verification into a trading

database of the database ([0025], [0281]) ; searching for the lease database and the

contract database, displaying a search result if an available lease period remains and

performing a next auction event by the central processing device ([0456]); transmitting

information on verification that item to be leased is transferred to one of the lessor and a

next lessee from the first/second terminal to the auction trading intermediary server,

whereby the central processing device displays an auction result and stores a trading

completion database of the database ([0505]); and searching for the trading completion

database, analyzing the contract database and the trading completion database if an unsettled trading exists, calculating a final amount of the lease, settling a balance of the lease, storing the settlement into a settlement database of the database, displaying a settlement result on monitors of the insurance agency, the settlement agency, the lessor and the lessee and informing of the settlement result through an e-mail, an ARS service, a SMS by the central processing device ([0281], [0298], [0268], [0454], [0456]). Therefore it would have been obvious to one of ordinary skill in the art to modify Fralic's invention to include displaying an evaluation result on a monitor and searching for a member database to inform the lessor/lessee of the evaluation result through an e-mail, an advanced record system (ARS) service and a short message service (SMS) by using the central processing device ; verifying a bidding result and inputting a decision on the auction trade by using the first/second terminal, whereby the central processing device stores a contract between the lessor and the lessee into a contract database of the database ; transmitting information on verification that a lease payment including a security deposit is settled and the item to be leased is transferred from the insurance agency, the settlement agency and the first/second terminal of the lessor/lessee to the auction trading intermediary server, whereby the central processing device displays the information on verification on monitors of the settlement agency, the insurance agency and the first/second terminal and stores the information on verification into a trading database of the database ; searching for the lease database and the contract database, displaying a search result if an available lease period remains and performing a next auction event by the central processing device ; transmitting information on

verification that item to be leased is transferred to one of the lessor and a next lessee

from the first/second terminal to the auction trading intermediary server, whereby the

central processing device displays an auction result and stores a trading completion

database of the database ; and searching for the trading completion database,

analyzing the contract database and the trading completion database if an unsettled

trading exists, calculating a final amount of the lease, settling a balance of the lease,

storing the settlement into a settlement database of the database, displaying a

settlement result on monitors of the insurance agency, the settlement agency, the lessor

and the lessee and informing of the settlement result through an e-mail, an ARS

service, a SMS by the central processing device. One of ordinary skill in the art would

have been motivated to include displaying an evaluation result on a monitor and

searching for a member database to inform the lessor/lessee of the evaluation result

through an e-mail, an advanced record system (ARS) service and a short message

service (SMS) by using the central processing device ; verifying a bidding result and

inputting a decision on the auction trade by using the first/second terminal, whereby the

central processing device stores a contract between the lessor and the lessee into a

contract database of the database ; transmitting information on verification that a lease

payment including a security deposit is settled and the item to be leased is transferred

from the insurance agency, the settlement agency and the first/second terminal of the

lessor/lessee to the auction trading intermediary server, whereby the central processing

device displays the information on verification on monitors of the settlement agency, the

insurance agency and the first/second terminal and stores the information on verification

into a trading database of the database ; searching for the lease database and the

contract database, displaying a search result if an available lease period remains and

performing a next auction event by the central processing device ; transmitting

information on verification that item to be leased is transferred to one of the lessor and a

next lessee from the first/second terminal to the auction trading intermediary server,

whereby the central processing device displays an auction result and stores a trading

completion database of the database ; and searching for the trading completion

database, analyzing the contract database and the trading completion database if an

unsettled trading exists, calculating a final amount of the lease, settling a balance of the

lease, storing the settlement into a settlement database of the database, displaying a

settlement result on monitors of the insurance agency, the settlement agency, the lessor

and the lessee and informing of the settlement result through an e-mail, an ARS

service, a SMS by the central processing device in order to ensure that the entire lease

auction process operates as efficiently as possible.

Claims 2-3 are being rejected using the same rationale as claim 1.

Regarding claim 4, Fralic discloses the optimum lease auction method of claim 1.

However Fralic does not disclose wherein when the lease-wanted person inputs a piece

of lease-related information by setting a condition of a lessee to have a final ownership

of the item to be leased without returning the item to the lessor in consideration of

depreciation of the item, the central processing device stores the piece of lease-related

information into the lease database, evaluates the rent-wanted people and selects the

lessee, thereby completing the lease activity and then, searches for the trading

completion database to discover a lessee who matches with the essential assets stored

in the lease database, and if such lessee is verified, the central processing device

controls the selection of the lessee who has the final ownership of the item. Nishamaki

discloses wherein when the lease-wanted person inputs a piece of lease-related

information by setting a condition of a lessee to have a final ownership of the item to be

leased without returning the item to the lessor in consideration of depreciation of the

item, the central processing device stores the piece of lease-related information into the

lease database, evaluates the rent-wanted people and selects the lessee, thereby

completing the lease activity and then, searches for the trading completion database to

discover a lessee who matches with the essential assets stored in the lease database,

and if such lessee is verified, the central processing device controls the selection of the

lessee who has the final ownership of the item ([0179]). Therefore it would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Fralic's

invention to include wherein when the lease-wanted person inputs a piece of lease-

related information by setting a condition of a lessee to have a final ownership of the

item to be leased without returning the item to the lessor in consideration of depreciation

of the item, the central processing device stores the piece of lease-related information

into the lease database, evaluates the rent-wanted people and selects the lessee,

thereby completing the lease activity and then, searches for the trading completion

database to discover a lessee who matches with the essential assets stored in the lease

database, and if such lessee is verified, the central processing device controls the

selection of the lessee who has the final ownership of the item. One of ordinary skill in

the art would have been motivated to include wherein when the lease-wanted person
inputs a piece of lease-related information by setting a condition of a lessee to have a
final ownership of the item to be leased without returning the item to the lessor in
consideration of depreciation of the item, the central processing device stores the piece
of lease-related information into the lease database, evaluates the rent-wanted people
and selects the lessee, thereby completing the lease activity and then, searches for the
trading completion database to discover a lessee who matches with the essential assets
stored in the lease database, and if such lessee is verified, the central processing
device controls the selection of the lessee who has the final ownership of the item in
order to ensure that depreciation costs are factored into the cost of the lease before the
lessee signs a lease contract.

Claim 5 is being rejected using the same rationale as claim 1.

Regarding claim 6, Fralic discloses the optimum lease auction method of claim 1.
Fralic further discloses wherein when the lease-wanted person inputs a condition of the
lease trading in that the lease takes place over an entire available lease period without
a restriction or for each divided period of the entire available lease period and various
other lease conditions including a lease period, a unit price based on the lease period, a
lowest lease price, a minimum lease period, a surcharge rate and a discount rate and
evaluation methods, the central processing device stores the inputted condition of the
lease trading, the various other lease conditions and the evaluation methods into the
lease database, allows the rent-wanted people to re-divide one of the entire available
lease period and the divided periods as much as necessary and selects the re-divided

period; and when the rent-wanted person inputs rent-related information, the central

processing device stores the rent- related information into the rent database and

evaluates a status of the bidding in overall according to each separated condition to

allow one of a person and a combined group providing an optimum condition to be

selected as a successful bidder ([0054] to [0056]).

Regarding claim 7, Fralic discloses the optimum lease auction method of claim 1.

Fralic further discloses wherein the intermediary program is prepared with a program

and icons for allowing the lease-wanted person to modify the lease-related information

during the auction and when the lease- wanted person selects one of the program and

the icons, the central processing device analyzes a status of the auction proceeding and

displays a status of lease information on periods with no rent-wanted person and no

contract as modifiable while maintaining the precedent contract with the same lease

condition and then, requests the lease-wanted person to modify the lease-related

information and stores the modified lease-related information into the lease database as

the lease-wanted person modifies the lease-related information including the lease

conditions, the evaluation methods and the lease schedule, so that the auction is

controlled to be carried out under the modified lease-related information ([0054] to

[0056], claim 1).

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD Z. SHAIKH whose telephone number is (571)270-3444. The examiner can normally be reached on Monday-Friday (9:30-6:00); alt Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Tramell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/17/2010   Mohammad Z Shaikh
/M. Z. S./   Examiner
Examiner, Art Unit 3694   Art Unit 3694
/Ella Colbert/

Primary Examiner, Art Unit 3694